GARRISON TRIAL STARTS MONDAY

N.O. T-P

Bribery Charged in Case of Pinball Machines

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By JOHN M'MILLAN

The district attorney of Orleans Parish is scheduled to stand trial Monday in U. S. District Court here. He is charged with accepting bribes from the operators of illegal pinball machines.

Jim Garrison was arrested with nine other men, but only three of them will stand trial with him. The other six have either pleaded guilty or been granted a separate trial.

Facing trial with the district attorney are: Robert Nims, the owner of REN Enterprises; Harby Marks Jr., an employe of New Orleans Novelty Co.; and John Aruns Callery, a former employe of New Orleans Novelty who was described as a lobbyist for the pinball industry.

If convicted they could be sentenced to a maximum penalty of five years in prison and a $20,000 fine each.

Three of those originally arrested have pleaded guilty: Louis Boasberg, the owner of New Orleans Novelty; Frederick Soule, a former police captain who was assigned to Garrison's office; and John Elms Jr., a partner of TAC Amusement Co.

Granted a separate trial were Lawrence Lagarde Sr., a partner in TAC Amusement; John Elmo Pierce, the owner of Pierce Amusement Co.; and Robert Frey, a former police sergeant who commanded the vice squad.

Scheduled to testify for the government against those on trial are Soule, Frey, Pierce, Elms and Lagarde.

Garrison's former right-hand man, Pershing Gervais, played a principal role in the investigation which led to the DA's arrest.

Gervais, who once worked for the district attorney as an investigator, left the country for Vancouver, B. C., Canada, following the arrests on June 30, 1971.

Less than a year later he came back to New Orleans amid a fanfare of publicity claiming that the federal government had coerced him into "framing" Garrison.

After Gervais returned with his charges a hearing on the voluntariness of his participation in the government's investigation was held before U.S. District Judge Herbert W. Christenberry. It was ruled that Gervais did work for the government of his own free will.

Judge Christenberry will try this case also.

Whether Gervais will testify is not known.

In additional developments since th earrests in 1971, Boasberg, Elms, Lagarde and Nims were convicted of shipping pinball machines through interstate commerce to further the interests of illegal gambling and of using the machines for that purpose once they arrived in New Orleans.

The Bally Manufacturing Co. of Chicago and its president, William T. O'Donnell, were found innocent of similar charges in the same trial.

And Garrison requested a delay in his trial because his defense attorney, F. Lee Bailey, is scheduled to stand trial himself on Sept. 10 in Orlando, Fla., on charges of mail fraud. The delay was not granted.

The trial begins at 10 a.m.